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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,337	07/27/2001	Emmanuel Fuchs	212029US2	7105

22850 7590 05/23/2005

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EXAMINER

DAS, CHAMELI

ART UNIT PAPER NUMBER

2192

DATE MAILED: 05/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/915,337

Applicant(s)

FUCHS ET AL.

Examiner

CHAMELI C. DAS

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the RCE filed on 4/22/05.
2. Claim 1 has been amended.
3. Claim 2 has been canceled.
4. Claims 1, 3-6 have been rejected.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goss et al (Goss), US 4,667,290 and further in view of Levy et al, (Levy), US 5,812,851

As per claim 1, Goss et al discloses:

- a front end configured to receive a specification file (col 2, lines 42-44), where " front end passes convert source code" indicates that front end receives the source code, and source code is the specification file

- one front end that creates an intermediate file by using the grammar file and the specification file to perform a grammatical and syntactical analysis of the specifications file (col 2, lines 43-46, col 3, lines 25-30, col 4 lines 3-32, col 5, lines 33-44, col 6, lines 40-50), where " source code" is a " specification file" and " parser" is acting as " grammar file"

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- the intermediate file comprising a syntactical tree describing data in the specifications file (col 4 lines 29-32, col 5, lines 36-44, col 6, lines 40-50)
- all data extracted from this file ... in the tree (col 5, lines 18-21, col 6 lines 40-50)
- a template defining programming rules associated with each node... generated (col 6, lines 39-50, col 18, lines 32-44)
- a back end generating the output code ... syntactical tree (col 2 lines 61-68, col 3, lines 25-29, col 4, lines 29-32).

Goss discloses that a grammar file corresponding to a language of the specification file (col 4 lines 10-29, col 5 lines 23-35), where " parser" is acted as the " grammar file" . Goss does not specifically disclose " parser" (grammar file) is received by the front end. However, Levy discloses the front end receives the parser. (Levy, col 1 lines 24-26). The modification would be obvious because the front end must be able to generate an abstract syntax tree of the file representing the grammatical structure of the tokens that are created from the source code (specification file) .

As per claim 3, Goss et al discloses:

- generator ... from this file (col 3, lines 23-60, col 4, lines 30-33, col 4, lines 55-60, col 5 lines 23-25).

As per claim 4, Goss et al discloses:

- template comprises output code ... each node (col 4 lines 30-34, col 18, lines 32-40, col 4 lines 3-30).

As per claim 5, Goss et al discloses:

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- software elements associated with the nodes are interfaces, variables, constants, operations and logical or mathematical functions (col 4, lines 37-40, col 24, lines 45-50, col 6 lines 22-25, col 4 lines 10-15, col 7 lines 25-27).

As per claim 6, Goss et al discloses:

- output is a computer language (col 19, lines 11-18).

Response to the Arguments

6. Applicant's argument filed on 4/22/05 has been fully considered but they are not persuasive. In remarks, the applicant argues is substance:

(1) Goss (US 4,667,290) fails to describe a front end configured to create an intermediate file based on a grammatical and syntactical analysis of the specification file

Response:

(1) Goss teaches the intermediate file is created by the front end based on a grammatical and syntactical analysis of the specification file. (Col 2, lines 42-45, "The front end pass or passes convert **source code to the intermediate language** and a symbol table. ... the same intermediate language), this intermediate file is created based on the grammatical and syntactical analysis of the source code, (col 3, lines 26-30, "source 2 is manipulated by a first pass 4 to produce AST files 6, This is called a syntax pass"), "The syntax phase 4 processes source and product AST", (col 4, lines 30-35), and the front end creates the intermediate file from AST, which is the grammatical and syntactical analysis of the source code (col 4, lines 30-35), i.e., front

end configured to create the intermediate file based on the grammatical and syntactical analysis of the specification file.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

TITLE: Interface for symbol table construction in a multilanguage optimizing compiler, US 5659753 A

TITLE: Method, apparatus and computer programmed product for binary re-optimization using a high level language compiler, US 6289505 B1

TITLE: Pointer analysis by type inference combined with a non-pointer analysis, US 6072950 A

TITLE: Compiling method for generating target program in accordance with target processor type, compiling device, recording medium with compiling program recorded therein and recording medium with conversion table used in compiling recorded therein, US 6305013 B1

TITLE: Method and apparatus for data flow analysis, US 6226789 B1

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chameli Das whose telephone number is 703-305-1339.

The examiner can normally be reached on Monday-Friday from 7:00 A.M. to 3:30 P.M.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Tuan Dam can be reached at 703-305-4552. The fax number for this group is (703) 872-9306.

After October 25, 2004, the examiner can be reached at new telephone number (571) 272-3696, and the examiner's supervisor Tuan Dam can be reached at (571) 272-3695.

An inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is 571-272-2100.

Chameli C-Das

**CHAMELI C. DAS
PRIMARY EXAMINER**

5/19/05